

# The Gazette of India



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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 18th September, 1958:—

Issue No.	No. and date	Issued by	Subject
187	S.O. 1881, dated 12th September, 1958.	Ministry of Information and Broadcasting.	Certification of film referred to therein.
188	S.O. 1882, dated 9th September, 1958.	Election Commission, India.	Election Petition No. 439 of 1957.
189	S.O. 1883, dated 15th September, 1958.	Ministry of Food and Agriculture (Dept. of Food).	Authorisation to determine the average market rates of gram, gram dal, barley and peas in Uttar Pradesh.
	S.O. 1884, dated 15th September, 1958.	Do. . .	Authorisation to determine the average market rates of gram, gram dal and barley in Madhya Pradesh.
	S.O. 1885 dated 15th September, 1958.	Do. . .	Authorisation to determine the average market rates of gram, gram dal and barley in Rajasthan.
	S.O. 1886, dated 15th September, 1958.	Do. . .	Authorisation to determine the average market rates of gram, gram dal and barley in Punjab.
190	S.O. 1887, dated 16th September, 1958.	Ministry of Commerce and Industry.	Grant of recognition of Madhya Pradesh Commercial Exchange Ltd., Akola in matters referred to therein.
191	S.O. 1888, dated 13th September, 1958.	Election Commission, India.	Designation of Returning Officer in Parliamentary Constituency of the State of Bombay.
192	S.O. 1935, dated 18th September, 1958.	Ministry of Law . .	Declaration containing the name of the candidate elected in Bye Election to the Council of States by the members of the Delhi Electoral College.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (ii)**

**Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**MINISTRY OF HOME AFFAIRS**

*New Delhi, the 20th September 1958*

**S.O. 1938.**—In exercise of the powers conferred by section 17 of the Indian Arms Act, 1878 (11 of 1878), the Central Government hereby makes the following further amendment in the Indian Arms Rules, 1951, namely:—

In the concluding paragraph of sub-rule (1) of rule 41 of the said Rules, for the words "States of Assam and", the words "State of" shall be substituted.

[No. 15/4/58-Police-(IV).]

*New Delhi, the 20th September 1958*

**S.O. 1939.**—In pursuance of clause (1) of Article 239 of the Constitution, the President hereby directs that, subject to his control, the Chief Commissioner or the Lt. Governor or the Administrator of a Union Territory shall, in relation to the Union Territory concerned, exercise the powers and discharge the functions of the 'State Government' under the Probation of Offenders Act, 1958 (No. 20 of 1958).

[No. 7/1/58-P.IV.]

*New Delhi, the 22nd September 1958*

**S.O. 1940.**—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts Shri Narinder Nath, an officer of the Indian Foreign Service (B), from the operation of the prohibitions and directions contained in section 6 of the said Act, in respect of one 38 bore revolver (No. 21979 Webley make) and connected ammunition.

[No. F. 17/12/58-P.IV.]

C. P. S. MENON, Dy. Secy.

New Delhi-1, the 16th September, 1958.

S.O. 1941.—Whereas the places specified in the Schedule annexed hereto are used for works for purposes of a public character ;

And whereas information with respect to, or the destruction or obstruction of, or interference with, the said places would be useful to an enemy;

Now, therefore, in pursuance of sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (19 of 1923) the Central Government hereby declares the places specified in the said Schedule to be prohibited places for the purposes of the said Act.

SCHEDULE

Name of Place	Locality	Thana	Taluk	District	Boundary or other description	Remarks
	Village	(Police Station)				
I	2	3	4	5	6	7
I Pallivasal Hydro Electric Project						
Pallivasal Power Station, Transformer Yard and Pump House.	Pallivasal	Devicolam	Devicolam	Kottayam	Pallivan Power Station, Transformer Yard and Pump House. The barbed wire fencing starting from the power house road up to the right bank of the river on the south, the Mudirapuzha river up to 50 feet up the present Diversion weir on the east, and from there along the barbed wire fencing up to the wicket gate on the power house road on the north and the power house road from the gate to the fencing on the south.	

	1	2	3	4	5	6	7
II. Sengulam Hydro-Electric Project.							
A. Surge shaft and pipe line	Pallivasal	Devicolam	Devicolam	Kottayam	Outlet of No. 2 tunnel and area between the cuttings of the low pressure pipeline to the point where it enters high pressure surge shaft, exit of the high pressure tunnel, valve house and the area within the cuttings for the high pressure pipe lines down to the power house.		
B. Power House	—do—	—do—	—do—	—do—	The area from the turn off on the road to the staff colony bounded by the top of cutting on the rear of the Power House and transformer yard, the retaining wall by the side of the river on one side and by the river on front and by the stream on the other side of the transformer yard.		
III. Poringalkuthu Hydro-Electric Project.							
A. Power House and Penstocks including Surge tank.	Poringalkuthu	Chalakudy	Mukundapuram	Trichur	Power house and Penstocks and the enclosed area round these installations. Surge tank and the area within a radius of 100 yards around the surge tank.		
B. Dam and intake works of tunnel.	—do—	—do—	—do—	—do—	The Dam proper including roadway over the same together with the area within a distance of 100 yards from the centre line of the Dam on the up-		
					Dam and intake works of tunnel are fenced except at the down		

stream and up  
stream side of  
the dam.

stream and downstream sides,  
the roadway from the Dam to  
the intake works, the approach  
bridge to the intake of the  
tunnel and the intake works  
proper.

C. Water tank and pump.      Poringalkuthu      Chalakudy      Mukundapuram Trichur

The water supply installations  
comprising the water tanks,  
pumps, water mains and other  
installations including an area  
of 100 yards on either side of the  
water mains and the area  
within the fencing around the  
tanks and pumps.

[No. 21/10/56-Poll. I.]

N. SAHGAL,  
Joint Secy.

## ORDER

*New Delhi, the 19th September 1958*

**S.O. 1942.**—In exercise of the powers conferred by section 4(1)(b) of the Madhya Bharat Gangajali Fund Trust Act, 1954 and in supersession of this Ministry's Order No. F. 5/15/57-Poll. III, dated the 25th May, 1957 the Central Government hereby nominates Shri Narasingh Rao Dixit as a Trustee of the Gangajali Fund Trust.

[No. F. 5/44/58-Poll. III.]

S. NARAYANSWAMY, Dy. Secy.

**MINISTRY OF FINANCE**

**(Department of Economic Affairs)**

*New Delhi, the 16th September 1958*

**S.O. 1943.**—In exercise of the powers conferred by sub-section (4) of Section 12 read with clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates—

(i) Shri G. Parameswaran Pillai, and

(ii) Col. B. H. Zaidi

as directors of the Central Board of the Reserve Bank of India *vice* Shri Bikkani Venkataratnam and Prof. Gorakhnath Sinha, respectively.

[No. 3(60)-BC/58.]

R. K. SESHADRI, Dy. Secy.

## (Department of Economic Affairs)

New Delhi, the 18th September 1958

S. O. 1944—Statement of the Affairs of the Reserve Bank of India, as on 12th September 1958

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	11,49,27,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	2,03,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	25,00,00,000	Subsidiary Coin . . . . .	3,29,000
		Bills Purchased and Discounted :—	
National Agricultural Credit (Stabilisation) Fund . . . . .	3,00,00,000	(a) Internal . . . . .	..
Deposits :—		(b) External . . . . .	..
(a) Government—		(c) Government Treasury Bills . . . . .	5,74,90,000
(1) Central Government . . . . .	60,53,97,000	Balances held abroad* . . . . .	14,68,37,000
(2) Other Governments . . . . .	11,00,08,000	Loans and Advances to Governments** . . . . .	17,43,99,000
(b) Banks . . . . .	92,15,59,000	Other Loans and Advances† . . . . .	50,53,85,000
(c) Others . . . . .	113,56,07,000	Investments . . . . .	302,76,96,000
Bills Payable . . . . .	10,67,16,000	Other Assets . . . . .	9,02,25,000
Other Liabilities . . . . .	10,82,04,000		
TOTAL . . . . .	411,74,91,000	TOTAL . . . . .	411,74,91,000

\*Includes Cash &amp; Short term Securities.

\*\*Includes Temporary Overdrafts to State Governments

†The item 'Other Loans and Advances' includes Rs. 1,71,00,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 18th day of September 1958.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 12th day of September 1958.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department . . . . .	11,49,27,000		A. Gold Coin and Bullion—		
Notes in circulation . . . . .	1542,45,13,000		(a) Held in India . . . . .	117,76,03,000	
Total Notes Issued . . . . .		1553,94,40,000	(b) Held outside India . . . . .	..	
			Foreign Securities . . . . .	169,67,56,000	
			TOTAL OF A . . . . .		287,43,59,000
			B. Rupee Coin . . . . .		137,12,34,000
			Government of India Rupee Securities . . . . .		1129,38,47,000
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL—LIABILITIES . . . . .		1553,94,40,000	TOTAL—ASSETS . . . . .		1553,94,40,000

Dated the 18th day of September, 1958.

H. V. R. IENGAR,  
Governor.

[No. F-3(2)-F. 1/58.]  
A. BAKSI, Jt. Secy.





## MINISTRY OF COMMERCE &amp; INDUSTRY

## ORDER

New Delhi, the 22nd September 1958

**S.O. 1948/IDRA/6/6/Am.(7).**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri A. C. Ramchandani as a member of the Development Council established by the Order of the Government of India in the late Ministry of Heavy Industries S.R.O. 409, dated the 1st February 1957, for the scheduled industries engaged in the manufacture and production of telephones, telegraph apparatus and wireless communication apparatus, electric lamps, electric fans batteries, dry cells and storage, radio receivers and house service meters and penal instruments, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order under the category of members "being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries" after entry No. 11E relating to Cdr. B. C. Chatterjee, the following entry shall be inserted, namely:—

"11F. Shri A. C. Ramchandani, Chief Engineer. All India Radio, New Delhi."

[No. 5(25)IA(II)(G)/57.]

A. K. CHAKRAVARTI, Under Secy.

## (Indian Standards Institution)

New Delhi, the 16th September 1958

**S.O. 1949.**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established during the period 16th August to 15th September 1958.

## THE SCHEDULE

Sl. No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards, if any superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS 418-1957 Specification for Tungsten Filament General Service Electric Lamps (Revised).	IS:418-1953 Specification for Tungsten Filament General Service Electric Lamps (Tentative).	In this revised standard the scope has been extended to cover lamps up to 1,000 watts in place of 500 watts in the original standard. The requirements have been based on the performance of individual lamps in place of average figures. Consequential changes have been made in the clauses and tables of the original standard. (Price Rs. 2.00).
2	IS:692-1957 Specification for Paper-Insulated Lead-Sheathed Cables for Electricity Supply.	..	This standard covers the requirements for impregnated paper-insulated lead or lead-alloy sheathed cables for operating voltages of 1.1, 11, 22 and 33 kV. (Price Rs. 4.00).

This standard defines the basic module to be adopted for dimensional co-ordination in the building industry and deals with its application in building design and manufacture of building materials and components. (Price Rs. 2-00).

(1)	(2)	(3)	(4)
9	IS:1234-1957 Specification for Ink, Stencil, Oil Base, for Marking Porous Surfaces, Colour as Required.	..	This standard covers the requirements and methods of test for oil based stencilling ink used for transferring letters or figures from a stencil on to porous surfaces, such as crates, wooden boxes, cardboard cartons, hessian bags and burlap. (Price Rs. 1.50)
10	IS:1235-1958 Specification for Acetic Anhydride.	..	This standard prescribes the requirements and the methods of test for acetic anhydride largely used in the manufacture of cellulose acetate. (Price Rs. 1.50).
11	IS:1236-1958 Specification for Ready Mixed Paint, Brushing, Oil Gloss, Heat Resisting, to Indian Standard Colour No. 360 Deep Buff.	..	This standard prescribes the requirements and the methods of test for the material commercially known as ready mixed paint, brushing, oil gloss heat resisting with distinctive IS Colour No. 360 Deep Buff as specified in the title. The material is intended for the protection and decoration of funnels of ships which are liable to attain high temperature of 160°C. (Price Rs. 1.00).
12	IS: 1252-1958 Specification for Rolled Steel Sections, Bulb Angles.	..	This standard lays down the dimensions, weight and basic geometrical properties of rolled steel bulb angles, generally used in ship building and car building industries. (Price Rs. 1.00).
13	IS:1257-1958 Specification for Black Japan, Type B, Exterior.	..	This standard prescribes the requirements and the methods of test for the material commercially known as black japan, Type B, meant for exterior use and intended for protection and decoration. This material shall be suitable for use on undergears, coal bunks and platforms of locomotives and underframes of carriages. (Price Rs. 1.50).

Copies of these Indian Standards are available for sale with the Indian Standards Institution "MANAK BHAVAN", 9 Mathura Road, New Delhi-1 and also at its Branch Offices at (i) 40 40A Cawasji Patel Street, Fort, Bombay-1 (ii) P-11, Mission Row Extension, Calcutta-1 and (iii) 2/21, First Line Beach, Madras-1.

New Delhi, the 18th September 1958.

**S.O. 1950.**—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies the issue of an errata slip, particulars of which are given in column (4) of the Schedule hereto annexed in respect of the Indian Standard specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata Slip issued
(1)	(2)	(3)	(4)
i	IS:247-1957 Specification for Anhydrous Sodium Sulphate ( <i>Revised</i> ).	S.O. 410 dated 5th April 1958.	The words 'heavy metals (as Pb)' have been replaced by 'lead' in Sl. No. (vii), col. (2) in Table I on page 3, and in item B-7 on page 6. The words 'heavy metals' in line 2, clause A-4.2 on page 5 have similarly been replaced by 'lead'.

Copies of this errata slip are available free of cost, with the Indian Standards Institution, "MANAK BHAVAN", 9 Mathura Road, New Delhi-1 and also at its Branch Offices at (i) 40/40A Cawasji Patel Street, Fort, Bombay-1, (ii) P-11 Mission Row Extension, Calcutta-1 and (iii) 2/21 First Line Beach, Madras-1.

[No. MDC/11(10).]

New Delhi, the 19th September 1958

**S.O. 1951.**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for Fountain Pen Ink, Blue-Black, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1st October 1958.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
i	Fountain Pen Ink, Blue-Black.	IS: 220-1950 Specification for Fountain Pen Ink, Blue-Black.	One Gallon	Ten Naye Paise

[No. MDC/11(6).]

D. V. KARMARKAR,  
Deputy Director (Mar

## MINISTRY OF STEEL, MINES AND FUEL

## (Department of Mines and Fuel)

New Delhi, the 16th September 1958

S.O. 1952.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

PLAN No. HQ/LA/23.

## SCHEDULE

## Sohagpur Coalfield Block V

Village	Tahsil	Village No.	District	Area	Remarks
					Acres Approximate
Kikripodi . . .	Sohagpur	142	Sahdol	570	Part
Chohari . . .	Sohagpur	303	Sahdol	1120	Part
Harad . . .	Sohagpur	1031	Sahdol	760	Part
Keshra . . .	Sohagpur	125	Sahdol	360	Part
Badra . . .	Sohagpur	648	Sahdol	320	Part
Pakharia . . .	Sohagpur	570	Sahdol	70	Part
Kalyanpur . . .	Sohagpur	92	Sahdol	160	Part
Goida . . .	Sohagpur	249	Sahdol	80	Part
Pasan . . .	Sohagpur	580	Sahdol	2730	Part
Jamuni . . .	Sohagpur	333	Sahdol	1400	Whole
Latar . . .	Sohagpur	204	Sahdol	1590	Part
Parashi . . .	Sohagpur	579	Sahdol	390	Part
TOTAL				9550	

## Boundary Description

AB line passes through the south of railway line and through the villages Kikripodi, Chohari, Harad, Keshra, Badra, Pakharia and Kalyanpur.

BC line passes through the villages Kalyanpur, Goida and Pasan.

CD line passes along the northern bank of Nulla Keuai.

DA line passes through the villages Latar, Parashi and Kikripodi.

The map of the area can be inspected at the office of the National Coal Development Corporation (P) Ltd. (Land Acquisition Section), "Darbhanga House", Ranchi or at the office of the Collector, Sahdol (M.P.).

[No. C2-22(2)/58.]

S.O. 1953.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

PLAN No. HQ/LA/22.

SCHEDULE

Sohagpur Coalfield Block IV

Village	Tahsil	Vi- llage No.	District	Area  (Approx.)	Remarks
Daikhal . . . . .	Sohagpur	463	Sahdol	2280	Whole
Payari . . . . .	Sohagpur	589	Sahdol	2020	Whole
Kadamatola . . . . .	Sohagpur	100	Sahdol	1620	Whole
Sakala . . . . .	Sohagpur	953	Sahdol	360	Part
Badra . . . . .	Sohagpur	648	Sahdol	1060	Part
Keshra . . . . .	Sohagpur	125	Sahdol	30	Part
Harad . . . . .	Sohagpur	1031	Sahdol	1440	Part
Chohari . . . . .	Sohagpur	303	Sahdol	490	Part
Kikripodi . . . . .	Sohagpur	142	Sahdol	520	Part
TOTAL . . . . .				9820	

Boundary Description

- AB line is the common boundary of villages Kikripodi and Dhuruasin.
- BC line is the common boundary of villages Kikripodi and Raksa.
- CD line is the common boundary of villages Daikhal and Raksa.
- DE line is the common boundary of villages Daikhal and Wata Tola.
- EFG line is the common boundary of villages Payari, Watatola and Pali.
- GH line is the common boundary of villages Kadamtola and Pali.
- HI line is the common boundary of villages Kadamtola and Mahai.
- IJ line is the common boundary of villages Kadamtola and Amhai.
- JK line is the common boundary of villages Kadamtola and Dhuma.
- KL line is the common boundary of part of village Badra, village Sakla, village Dhuma and part of village Jiditola.
- LM line passes through the villages Sakala and Badra.
- MA line passes just north of railway line and through the villages Badra, Keshra, Harad, Chohari and Kikripodi.

The map of the area can be inspected at the office of the National Coal Development Corporation (P) Ltd. (Land Acquisition Section), "Darbhanga House", Ranchi or at the office of the Collector, Sahdol (M.P.).

[No. C2-22(2)/58.]

A. S. GREWAL. Under Secy.

(Department of Iron and Steel)

New Delhi, the 18th September 1958

**S.O. 1954/ESS.COMM/IRON AND STEEL-2(c)/AM(24).**—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1936, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS. COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in column 2 thereof, against 'MADHYA PRADESH', for the existing entry at No. 1, the following shall be substituted, namely:—

"1. Director, Civil Supplies."

[No. SC(A)-4(498).]

*New Delhi, the 19th September 1958*

**S.O. 1955/ESS.COMM/IRON AND STEEL-2(c)/AM(25).**—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS.COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 and 3 thereof, against 'West Bengal', the following entries shall be added, namely:—

I	2	3
10.	Special Officer, Home (Anti-Corruption and Enforcement) Department, Government of West Bengal, Calcutta.	28 (Iron and Steel and Scrap).
11.	Deputy Commissioner of Police, Enforcement Branch, West Bengal, Calcutta.	28 (Iron and Steel and Scrap).
12.	Special Superintendent of Police, Enforcement Branch, West Bengal, Calcutta.	28 (Iron and Steel and Scrap.)"

[No. SC(A)-4(467).]

G. V. RAMAKRISHNA, Under Secy.

### CENTRAL EXCISE COLLECTORATE, DELHI

#### CENTRAL EXCISE

*New Delhi, the 11th August 1958*

**S.O. 1956.**—This office notification S.R.O. 1785 published in the Gazette of India in part II—Section III dated 11th August, 1956 is hereby cancelled.

[No. CVI(Y)/16/12/56/47164.]

B. D. DESHMUKH, Collector.

### MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Communications)

(P. & T.)

*New Delhi, the 17th September 1958*

**S.O. 1957.**—In exercise of the powers conferred by sub-section (2) of section 16 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

After item (yy) of rule 193 of the said Rules, the following item shall be inserted, namely:—

"(zz) The Administrator and the Chairman of the Territorial Council in the Union Territory of Himachal Pradesh, Manipur and Tripura and Officers-in-charge of other Administrative offices under the control of the said Council, provided that the articles posted by them relate solely to the business of the Council."

[No. 24/3/58-CI.]

**S.O. 1958.**—In exercise of the powers conferred by section 21 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

In item (c) of rule 10-A of the said Rules, for the word "and", the word "or" shall be substituted.

[No. 3/8/57-CI.]

B. G. DESHMUKH, Under Secy.



**(Department of Transport)**

**MERCHANT SHIPPING**

*New Delhi, the 20th September 1958*

**S.O. 1959.**—In exercise of the powers conferred by sub-section (3) of section 26A of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby makes the following amendment in the Indian Merchant Shipping (Medical Examination) Rules, 1958, as notified under G.S.R. 651 dated the 24th July, 1958, namely:—

In the Annexure to the said rules, in item 2 of Part I and item 3 of Part II, for the words and figures

“After attainment of 60 years of age, however a seaman may, if acceptable to a shipowner and if certified fit by the prescribed medical authority, be allowed to sign on till he is 62. For every voyage after 60 the seaman shall have to obtain a fresh certificate of medical fitness.”

the following shall be substituted, namely:—

“The Director General of Shipping may, in consultation with the Seamen's Employment Board, Bombay and Calcutta, prescribe from time to time conditions under which seamen over the age of 60 years but not exceeding 65 can be employed to meet shortages in any category.”

S. K. VENKATACHALAM, Dy. Secy.

**MINISTRY OF FOOD & AGRICULTURE**

**(Department of Agriculture)**

**(Indian Council of Agricultural Research)**

*New Delhi, the 13th August 1958*

**S.O. 1960.**—In pursuance of sub-section (f) of Section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby appoint Shri M. C. Surana, Village Surda, C. D. Block Berla, District Durg (Madhya Pradesh), as a member of the Indian Central Oilseeds Committee, having been nominated by the State Government of Madhya Pradesh.

The tenure of his office will be for a period of three years commencing from 1st April, 1958.

[No. 6-1/58-Com.I.]

*New Delhi-2, the 20th August 1958*

**S.O. 1961.**—In pursuance of the provisions of clause (f) of Section 4 of the Indian Coconut Committee Act, 1944 (No. 10 of 1944), as amended from time to time, the Central Government hereby appoint Shri P. B. Kurup, P.O. Box No. 74, Kozhikode (Kerala State), as a member of the Indian Central Coconut Committee for a term of three years with effect from 1st April, 1958.

[No. 8-1/58-Com. I.]

B. S. RAMDAS, Under Secy.

**MINISTRY OF HEALTH**

*New Delhi, the 17th September 1958*

**S.O. 1962.**—In exercise of the powers conferred by clause (d) of sub-section (1) of section 3 of the Indian Medical Council Act, 1933 (27 of 1933), the Central Government hereby nominates Lieut-Colonel Jaswant Singh, Director General of Health Services, to be a member of the Medical Council of India with effect from the 1st July, 1958 *vice* Lt.-Col. C. K. Lakshmanan, resigned.

[No. F. 5-24/58-M.I.]

KRISHNA BHARI, Dy. Secy.

New Delhi, the 17th September 1958

**S.O. 1963.**—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the Schedule to the order of the Government of India in the Ministry of Health S.R.O. No. 619 dated the 28th February, 1957, namely:—

In the said schedule—

- (1) in Part I, for the heading "Family Planning Centre, Ramanagaram" and the entries relating thereto in columns 1 to 5, the following heading and entries shall be substituted, namely:—

1	2	3	4	5
<i>Family Planning Training, Demonstration and Experimental Centre, Ramanagaram and Family Planning and Research Centre, Bombay</i>				
All posts	Director (Family Planning)	Director (Family Planning) Head of Office	All (i) to (iii)	Director General of Health Services Director (Family Planning)

- (2) in Part II, after the existing entries, the following shall be inserted, namely:—

1	2	3	4	5
<i>Family Planning Training, Demonstration and Experimental Centre, Ramanagaram and Family Planning and Research Centre, Bombay</i>				
All posts	Head of Office	Head of Office	All	Director (Family Planning)

[No. F. 6-6/58-A.V.]

AMAR NATH VERMA, Under Secy.

### MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 17th September 1958

**S.O. 1964.**—In exercise of the powers conferred by sub-section (i) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Anand Swarupa Gosian as Assistant Settlement Commissioner for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took charge of his office.

[No. 5/10/Admn(R)/CSC/58.]

**S.O. 1965.**—In exercise of the powers conferred by Section (1) of Section 5 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri Tara Chand Gupta as Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act.

[No. 11-A(45)-58(CSC)/AI-I.]

**S.O. 1966.**—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Tara Chand Gupta, as Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act.

[No. 11-A(45)-58(CSC)/AI-II.]

M. L. PURI,

Settlement Commissioner & *Ex-Officio* Under Secy.

*New Delhi, the 19th September 1958*

**S.O. 1967.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the town of Godhra, District Panchmahal, State of Bombay, for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

THE SCHEDULE

Sl. No.	Particulars of the evacuee property	Name of the town and locality in which evacuee property is situated	Name of the Evacuee
1	2	3	4
(BOMBAY STATE)			
1	12/317 O.P. 1862	Juni-Kachia vad	Halima d/o Khulpa
2	12/47	Rajan Mosque	Asha d/o Umar Ibrahim Patel
3	12/181	Near Lavaria Koova	Rasul Adam Ismail
4	12/8	Dhesli falia	Kamruddin Sultranali
5	12/259	Near Lavaria Koova	Ibrahim Haji Umar Dedki
6	12/258-A	—do—	Abdul Rehman Umar Dedki
7	12/138/1	Juni Kachhia Vad	Abdulsatar Haji Nana
8	12/583 12/584/1	Near Rani Masjid	Suleman Isakali
9	12/132	Juni Kachhia Vad	Khadija Adam Ibrahim Surti
10	12/423/1	Bazar Road	Rabi Haji Abdulla Sadwa
11	12/72	Dhesli Falia	Isa Rasul Postri
12	12/524/A	Kasai Vada	Abdul Rahim Dal
13	12/444/1	Bazar Road	Ismail Isa Bhimla
14	12/529	Kasai Vada	Abdulrehman s/o Ibrahim Vaghaji
15	12/152	Vorvada Dhesli Falia	Kamruddin Hekimuddin
16	12/42 B 12/47	—do—	Rasul Usman Dal
17	12/84	Near Dhesi Koova	Abdulla Ismail Shakla
18	13/570	Masjid Road	Asha d/o Ismail Sadik Sakla
19	13/482	—do—	Mariam d/o Abdulla Usman Gella
20	13/666/A	Bharuk Road	Abdul Rahim Isa Adam Charkha
21	13/401/A	Masjid Road	Md. Adam Pathan 'A' Rehman
22	13/590	Guhia Mohalla	Isuf Musa Rhatuk
23	13/645	—do—	Khadija d/o Umar Sadik Atat
24	13/427	Bazar Road	Adma s/o Isa Bhimla
25	13/842	Chubai Road	Abdulla Haji Isa Bhagat
26	13/360	—do—	—do—
27	13/637/2	Bharuk Road	Mohd. Rusul Kurkur
28	13/271/C	Raxan Road	Mohd. Isa Jamsha
29	13/664	Belim Falia	Isa Bhura Kharadi
30	13/655/2 13/655/3	Begum Falia —do—	—do— —do—
31	13/538 13/540	Near Khir Masjid	Mohd. Yusuf s/o Adam Musa Rasul Bangli
32	13/122 West Half	Shankdi Shri	Abdul Majid s/o Ibrahim Isa Dadi

1

2

3

4

33	13/520/B	Belim Falia	Abdul Majid Isa Rashidbhai
34	13/490	—do—	Abdulrehman Ibrahim Atal
35	13/382	Chabhai Road	Abdul Rehman Adam Musa Chanda
	13/383		
36	13/371	—do—	Abdul Majid Haji Ismail Madara
37	13/50/A	Patel Vada	Abdul Majid Ibrahim Bhagan
38	13/671/A	Khalika Vada	Ibrahim Haji Umar Kolia
39	13/304	Guiya Mohalla	Abdulla Adam Bokda
40	13/305	—do—	—do—
41	13/328/2	—do—	Abdul Rahim Ismail Dadi
42	13/353/A	Near Masjid Bazar Road	Zubeda s/o Adam Isa Bhatuk
43	13/310	Guhia Mohalla	Ismail Umar Khoda
44	9/699	Vorvada	Salehbhai Mohdali Shaikh
45	9/416/I	Near Lavaria Koova	Kulsum d/o Rasul Adam Balera
46	9/310	—do—	Halima d/o Isa Rasul Kanjaria
47	9/213	Bazar Road	Rabia d/o Isa Valid
48	9/327	Lavaria Koova	Halima d/o Umar Ibrahim Tasia
49	9/379	Vachesar Vada	Abdul Majid Haji Usman
50	9/229/2	Lavaria Koova	Musa Rasul Jiva Chanda
51	9/317/I	—do—	Asha d/o Haji Isa Mansoor
52	9/290/I	—do—	Asha d/o Ibrahim Umar Malla
	9/290/2		
53	9/493	Near Juni Derashar	Suleman Isa Kalu
	9/494		
54	9/396	Vachesar Vada	Abdul Majid Ismail Kharuda
55	9/260	Lavaria Koova	Ismail and others s/o Ibrahim Dafi
56	9/297	—do—	Fatma d/o Musa Avzal Midhi
57	9/390	—do—	Abdul Sattar Umar Musa Bakhlar
58	9/248/2	—do—	Haji Bhura Adam Badam
	9/249/2		
59	9/435	Vachesar Vada	Ibrahim s/o Ismail Avjal Boda
60	9/412/I	—do—	—do—
61	9/245/A	Bazar Road	Abdul Rehman Musa Bhimla
62	9/238/B	—do—	—do—
63	9/315	Near Lavaria Koova	Bhurabibi d/o Kulandar Rasul
64	9/265/2/A	—do—	Mohmad Isa Jamshu
65	9/197	Bazar Road	Ibrahim Haji Nana Sabu
66	9/321	Lavaria Koova	Musa Usman Sabu
67	7/662	Patelvada	Fidahusain Haji Yusufali Bokhandwala
68	8/114/I	Limdi Falia	Ibrahim Rasul Mala
69	8/453/I/I	Ravalia Vada	Kalimulla. J. Kazi
70	8/710/4/I	—do—	Rabiabibi d/o Hamid Faizu
71	8/654	Near Kadia Masjid	Khatija Abdulgani Abdulrehman
72	8/475	Ravalia Vada	Ahmed Imam Malek
	8/476		
73	8/351	—do—	Amirbibi d/o Ahmadbhai Usmanbhai
			and others
74	8/227	Limdi Falia	Yakubkhan Babulkhan
	8/228		
75	17/523/A	Jahurpura	Ashabibi d/o Ismail Kalandar
76	17/507/A	—do—	Hibibai d/o Umar Musa Vadi
77	17/383	—do—	Ismail Abdul Raheman Gunia
78	17/455	—do—	Ibrahim Musa Dhoki
79	17/454	—do—	Abdul Sattar Rasul Sadva
80	17/390	Jahurpura	Abdulla Abdul Rehman Chanki
81	17/483/1/B	—do—	Sugra d/o Ismail Isa Bugal
	17/484		
82	17/518	—do—	Ibrahim Ismail Umar Chandsha
	17/519		
83	17/489	—do—	Sugrabibi d/o Ismail Musa Patalia
84	17/516	—do—	Musa Umar Sadva
85	17/507/B	—do—	Ashabibi d/o Abdulla Isa Godad
86	17/457	—do—	Ismail Ibrahim Anus
87	South 1/2 of	Guhia Mohalla	Mohd. Adam Pathan
	16/168		

1	2	3	4
88	14/127/3/2	Vali falia	Yusuf Ismail Malek
89	11/17	Mohmadi Moholla	Abdulrehman Isa Haji Vadhel
90	11/18	Do.	Abdulrehman Umar Atal
91	15/173/2	Station road	Abdulla Haji Isa Bhagat
	15/173/3		
92	5/56	Saiyad vada	Savadali Ahmadali

[No. 1(1216)/58/Comp. III/Prop.]

I.N. CHIB,  
Deputy Chief Settlement Commissioner & Dy. Secy.

### MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 17th September 1958

**S.O. 1968.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment being a factory known as M/s Liberty Chemical Works, Nagardas Road, Mogra West, Post Box No. 36, Andheri (East), Bombay-41, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1958.

[No. PF-II-9(1)/58.]

**S.O. 1969.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment being a factory known as Messrs. Shree Bharat Textile Mills, 175-E, Ripon Road, Sadi Bazar, Madanpura, Bombay-8, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April, 1958.

[No. PF-II-9(1)/58.]

**S.O. 1970.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the Head Office Establishment and Salaried Establishment of The Be Be Rubber Estates Limited, Punalur have agreed that the provisions of the Employees' Provident Fund Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 31st day of August, 1957.

[No. PF-II-9(10)/58.]

**S.O. 1971.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the Head Office Establishment and Salaried Establishment of The Cochin Plantation Limited, Punalur have

agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 31st day of August, 1957.

[No. PF-II-9(10)/53.]

**S.O. 1972.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 30th September, 1956, to the factory known as the Glaxo Laboratories (India) Private Limited, Worli, Bombay-18, there was in existence a provident fund common to the employees employed in the factory to which the said Act applies and the employees in their Sales Offices mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Sales Offices situated at Madras and Calcutta.

#### SCHEDULE

1. Glaxo Laboratories (India) Private Limited, Woods Road, Post Office Box No. 2420, Madras-2.

2. Glaxo Laboratories (India) Private Limited, 52, Hyde Road, Extension, Kidderpore, Calcutta-27.

[No. PF-II-9(28)53.]

*New Delhi, the 18th September 1958*

**S.O. 1973.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the Sales Office establishment, at 249, Frere Road, Bombay-1, of M/s Amrutanjan Limited, Madras, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1958.

[No. PF. II-9(1)58.]

**S.O. 1974.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Crofton Estate, Kotagiri, P.O. Nilgiris, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April, 1958.

[No. PF. II-9(21)58.]

*New Delhi, the 19th September 1958*

**S.O. 1975.**—Whereas immediately before the Employees' Provident Fund Act, 1952 (19 of 1952), became applicable with effect from the 31st July, 1956, to each of the factories specified in the Schedule hereto annexed, there was in existence a provident fund common to the employees employed in the said factory;

to which the said Act applies and the employees in its Head Office at Bombay House, Bruce Street, Fort, Bombay—1;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of the said Act shall also apply to the said Head Office situated at Bombay.

#### SCHEDULE

1. The Tata Hydro Electric Power Supply Co. Ltd., Generating Station at Khopoli, District Kolaba.
2. The Andhra Valley Power Supply Co. Ltd., Generating Station at Bhivpuri, District Kolaba.
3. The Tata Power Co. Ltd., Generating Station at Bhira, District Kolaba.
4. The Tata Hydro Electric Power Supply Co. Ltd., Receiving Station & Testing Department, Lalwadi, Parel, Bombay—12.
5. The Andhra Valley Power Supply Co. Ltd., The Tata Power Co. Ltd.; Receiving Station at Matunga, Bombay—19.
6. The Tata Hydro Electric Power Supply Co. Ltd., The Andhra Valley Power Supply Co. Ltd.; The Tata Power Co. Ltd., Transmission Division at Kalyan, District Thana.
7. The Tata Hydro Electric Power Supply Co. Ltd., The Andhra Valley Power Supply Co. Ltd., The Tata Power Co. Ltd., Distribution Division at Andhra Workshop, Parel, Bombay—13.

[No. P. F. II 57(34)57.]

*New Delhi, the 20th September 1958*

**S.O. 1976.**—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the Head Office establishment of the Patkapara Tea Estate owned by Messrs. Duars Union Tea Company Limited, Alipurduar, District Jalpaiguri have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January 1958.

[No. PF.II-9(7)/58.]

**S.O. 1977.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment being a factory known as Messrs. Vummudiars (Manufacturers) Private Limited, 62, Govindappa Naick Street, Madras-1, have agreed that the provisions of the Employees' Provident Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April, 1958.

[No. PF.II-9(21)/58.]

BALWANT SINGH, Under Secy.

*New Delhi, the 19th September 1958*

**S.O. 1978.**—The following draft amendment of the Industrial Employment (Standing Orders) Central Rules, 1946, which the Central Government proposes to make in exercise of the powers conferred by section 15, read with clause (b) of Section 2, of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946) is hereby published as required by sub-section (1) of that section for

information of persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 20th October, 1958.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

*Draft Amendment*

For the existing Model Standing Order No. 7, in the Schedule I appended to the said Rules, the following shall be substituted, namely:—

"More than one shift may be worked in a department or departments or any section of a department of the establishment at the discretion of the employer. If more than one shift is worked, the workmen shall be liable to be transferred from one shift to another. No shift working shall be discontinued without two months' notice being given in writing to such workmen prior to such discontinuance, provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workmen affected. If as a result of discontinuance of the shift working, any workmen are to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Disputes Act, 1947 (14 of 1947), and the rules made thereunder. If shift working is restarted, the workmen shall be given notice and re-employed in accordance with the provisions of the said Act and the said rules."

[No. F. LRI-21(11)/58.]

A. P. VEERA RAGHAVAN, Under Secy.

*New Delhi, the 17th September 1958*

**S.O. 1979.**—In exercise of the powers conferred by section 4 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946) read with sub-rule (2) of the rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, and in supersession of the notification of the Government of India in the Ministry of Labour S.R.O. No. 3233 dated 12th October, 1954, as amended from time to time, the Central Government hereby constitutes the Advisory Committee for the State of Andhra Pradesh consisting of the following members, namely:—

- |  |  |
|--|--|
| (1) Shri V. Srinivasachari, I.A.S., Collector of Nellore-Chairman.   |  |
| (2) Shri Allam Krishniah, M.L.A., Member of the Andhra Legislative Assembly.                                   |  |
| (3) Shri Hari Singh, Regional Labour Commissioner, (Central) Madras, Representative of the Central Government. |  |
| (4) Shri P. Gopala Krishna Reddy, M.L.A.,  | } Representing Mica Mines owners of Andhra Pradesh.          |
| (5) Shri Palepu Dasaratha Rama Reddi,  |  |
| (6) Shri P. C. Reddi,  | } Representing Workmen employed in the mica mining industry. |
| (7) Shrimati Enduri Dhanalakshamma,  |  |

2. The Central Government hereby appoints Shri Allam Krishniah, M.L.A. as Vice-Chairman of the Advisory Committee.

[No. MIII-23(4)57.]

S. RANGASWAMI, Under Secy.

*New Delhi, the 20th September 1958*

**S.O. 1980.**—The Government of the State of Kerala having nominated, in exercise of the powers conferred by clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), Dr. R. Sankara Raman, Deputy Director of Health Services South Zone, Trivandrum, as a member representing the said State in the Employees' State Insurance Corporation, the Central Government, in pursuance of section 4 aforesaid, hereby makes the following further amendment in the



notification of the Government of India in the Ministry of Labour and Employment No. HI-1(196)/57, dated the 13th March, 1958, namely:—

In the said notification, under the heading 'Members', under the sub-heading '(Nominated by the State Governments under clause (d) of section 4]', for item 17-A, the following shall be substituted, namely:—

"17-A. Dr. R. Sankara Raman, Deputy Director of Health Services, South Zone, Trivandrum."

[No. HI-1(62)/58.]

*New Delhi, the 22nd September 1958*

**S.O. 1981.**—In pursuance of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 2360, dated the 5th October, 1956, constituting the Standing Committee of the Employees' State Insurance Corporation, namely:—

In the said notification, under the heading "Members",—

(1) under sub-heading "[Elected by the Corporation under sub-clause (ii) of clause (c) of section 8]", for item (9) Shri K. N. Modi, C/o Modi Spinning and Weaving Mills Limited, Modinagar (Meerut), the following item shall be substituted, namely:—

"(9) Shri R. K. Parikh, General Manager, Shree Ram Mills Limited, Ferguson Road, Lower Parel, Bombay—13.";

(2) under sub-heading "[Elected by the Corporation under sub-clause (iv) of clause (c) of section 8]", for item (12) Dr. Chamanlal M. Mehta, Shri Niwas, Sandhurst Road, Bombay, the following item shall be substituted, namely:—

"(12) Dr. C. S. Thakar, Station Road, Santa Cruz, Bombay-23.";

(3) under sub-heading "[Elected by the Corporation under sub-clause (v) of clause (c) of section 8]", the following item shall be inserted, namely:—

"(13) Shri Ghanshyamlal Oza, M.P., Morviwank, Rajkot".

[No. F. HI-1(63)/58.]

## ORDER

*New Delhi, the 22nd September 1958*

**S.O. 1982.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, for a further period of one year with effect from the 1st October, 1958, from the payment of the employer's special contribution under Chapter V-A of the said Act, every factory—

(a) which is exclusively engaged in one or more of the manufacturing processes specified in column 1 of the Table annexed hereto or any other manufacturing process which is incidental to or connected with any of the aforesaid processes or in any other manufacturing process carried on in a seasonal factory of the nature referred to in clause (12) of section 2 of the said Act; and

(b) which is situated in any area specified in the corresponding entry in column 2 of the said Table, subject to the condition, if any, specified in the corresponding entry in column 3 of the said Table.

TABLE

Name of the manufacturing process.	Area where situated.	Conditions.
1	2	3
1. Redrying unmanufactured leaf tobacco	Whole of India except the State of Jammu & Kashmir.	
2. Rice milling	Do.	
3. Cold storage	Do.	
4. Salt manufacture	Do.	
5. Oil mills	Do.	Provided that the process of oil milling is subsidiary to any other manufacturing process which is seasonal and so long as the number of employees engaged in oil milling is less than fifty.
6. Ice Manufacture.	The States of Punjab, Uttar Pradesh, Rajasthan, Madhya Pradesh, Bihar and Andhra Pradesh and the Union territories of Delhi and Himachal Pradesh.	

[No. HI-6(61)/58.]

P. R. NAYAR, Under Secy.

New Delhi, the 17th September 1958

**S.O. 1983.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to Ahmedpur-Katwa, Burdwan-Katwa and Bankura-Damodar River Railways and their workmen.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA,  
20/1 GURUSADAY ROAD, BALIYGUNGE, CALCUTTA-19.**

REFERENCE NO. 1 OF 1958

The employers in relation to the Ahmedpur-Katwa, Burdwan-Katwa and Bankura-Damodar River Railways,

AND

Their workmen

PRESENT

Shri A. Das Gupta, Presiding Officer.

**APPEARANCES:**

*For the Employers.*—Shri J. K. Ghosh, Advocate of Orr Dignam & Co., Solicitors, instructed by Shri H. L. Biswas, General Manager of the Railways.

*For the Workmen.*—Shri S. Dutta Gupta, Advocate, assisted by Shri Jiten Banerjee, and Shri R. N. Majumdar, General Secretary, McLeod's Indian Employees Association.

**AWARD**

In exercise of the powers conferred by section 7A and section 10(1)(d) of the Industrial Disputes Act, 1947, the Government of India, Ministry of Labour & Employment, by notification No. S.R.O. 620, dated 19th April, 1958, constituted

and industrial tribunal with me as the Presiding Officer with headquarters at Calcutta, and referred, for adjudication, to the tribunal thus constituted an industrial dispute between the employers in relation to the Ahmedpur-Katwa, Burdwan-Katwa and Bankura-Damodar River Railways and their workmen. The following are the items of the dispute:

1. Dearness allowance and compensatory allowance.
2. Fidelity Bond.
3. Security deposit.
4. Age limit for retirement.

2. The McLeod's Indian Employees' Association claims to represent the workmen of the three light railway companies at the head office and has filed a statement of demands on their behalf. The railway companies resist the demands by a joint rejoinder and have raised two preliminary objections, namely,—

- (a) the workmen have not been properly represented, and
- (b) Messrs. McLeod & Co. Ltd. are not the Managing Agents of the light railway companies involved in the present adjudication but are their Secretary and Treasurer.

3. The workmen of the companies may conveniently be classed into two broad sections:

- (a) the head office staff, and
- (b) the line staff.

The McLeod's Indian Employees' Association claiming to represent the head office staff of the railway companies before us has filed a statement of demands on their behalf, stating categorically that the dispute under reference relates to them alone.

4. The company's case is that the McLeod's Indian Employees' Association representing the employees other than those of the railway companies employed in different trades cannot legally represent the employees of the railway companies. The companies further contend that the workmen working on the lines are members of the Ahmedpur-Katwa and Burdwan-Katwa Railways Employees' Union, Katwa, and Bankura-Damodar River Railway Employees' Association, Bankura and that the workmen working in the head office at Calcutta are members of the A.K., B.K., B.D.R. and K.F. Railways (Head Office) Employees' Federation. The Companies contend that the Order of Reference is not limited to the Head Office staff as the McLeod's Indian Employees' Association contends, but covers the line staff of the companies as well.

5. Undoubtedly the Order of Reference is in most general terms and is sufficiently elastic to cover the workmen working on the lines as also in the head office. The dispute has been stated in the Order of Reference to be between the employers and workmen in relation to the three light railway companies. There is also no indication in the Order of Reference that the adjudication is intended to be confined to the members of any particular union. The mere fact that a copy of the Order of Reference was forwarded only to the McLeod's Indian Employees Association does not lead to any inference that the adjudication is to be confined to such workmen of the railway companies as are members of the McLeod's Indian Employees' Association. Shri P. K. Mukherjee, Advocate appeared before me on 16th June 1958 on behalf of the Unions mentioned in the written statements of the companies claiming that the three unions might be impleaded as parties to the adjudication. A formal application was filed only on behalf of the A.K., B.K., B.D.R. and K.F. Railways (Head Office) Employees' Federation but no such application was filed on behalf of the other two unions. As I have already pointed out, the Order of Reference is sufficiently elastic to cover all sections of workmen under the three light railway companies. The three unions, whom Shri P. K. Mukherjee claimed to represent, are undoubtedly entitled to represent such workmen of the railway companies as are members of the said unions. I accordingly passed an order on 16th June, 1958 impleading the Federation as a party to the adjudication proceedings. The other two Unions were advised to file formal applications for being impleaded as parties and they were told that they would be so impleaded on such formal applications. They did not take any step as directed. On 11th July, 1958 on which date the hearing commenced the B.D.R. Railway Employees' Association, Bankura, filed a written statement without a formal application for being impleaded as party as previously advised. Curiously enough no one appeared on behalf of the B.D.R. Railway Employees Association to place the case of the Association before this Tribunal. Shri

Tinkori Banerjee claims to be a member of the A.K., B.K., B.D.R. and K.F. Railways (Head Office) Employees' Federation but he has examined himself as a witness of the railway companies and does not claim to represent the Federation. Now the only union which participated in the present adjudication was the McLeod's Indian Employees' Association which claims to represent only the workmen employed in the head office of the railway companies. It also appears that the McLeod's Indian Employees' Association was the only Union which participated in the conciliation proceedings.

6. The McLeod's Indian Employees' Association in its verified statements, has specifically pleaded that the dispute relates to the workmen employed in the head office of the railways and that they are members of the Association. The sworn testimony of Shri R. N. Majumdar, General Secretary of the Association, is that the total number of employees in the head office of the railways is between 75 and 80 and that of these 75 or 80 workmen 45 to 50 are members of the Association. This has not been refuted. Shri Tinkori Banerjee (EW-1), who claims to be an ordinary member of the A.K., B.K., B.D.R. and K.F. Railways (Head Office) Employees' Federation says that the Federation has about 40 to 50 members on its rolls. If really this Federation represents the majority of the workmen employed in the head office, the Federation should have and would have appeared before this Tribunal to safeguard the interest of its members. I do not propose to comment upon the nature and activities of the A.K. and B.K. Railways Employees' Union, B.D.R. Railway Employees' Association and the A.K., B.K., B.D.R. and K.F. Railways (Head Office) Employees' Federation. They were given sufficient opportunities to place their respective cases before this Tribunal but they did not avail themselves of such opportunities. Thus the workmen employed by the railway companies in the head office at Calcutta represented by the McLeod's Indian Employees' Association are the only workmen before us. This Association participated in the conciliation proceedings and a copy of the Order of Reference appears to have been forwarded to this Association. From these facts it is abundantly clear that the McLeod's Indian Employees' Association is the only Union which is interested in the head office staff of the railway companies.

7. The specific statement of the union that a good portion of the workmen employed in the head office are its members has not been assailed by any competent witness. It is also not denied that the Association is registered under the Indian Trade Union's Act. This Union has legal authority under section 36(1)(a) of the Industrial Disputes Act, 1947 to represent its members. The McLeod's Indian Employees' Association may have for its members the workmen of different industrial units under the management of Messrs. McLeod & Co. There is no bar to a Union enlisting as its members the workmen of different industries. The first preliminary objection raised on behalf of the company is misconceived and cannot be upheld.

8. Messrs. McLeod & Co. Ltd. are an old and reputed firm carrying on business on a very wide range, both on personal account and as Managing Agents of several undertakings. About three years back Messrs. McLeod & Co. were admittedly the Managing Agents of the light railway companies involved in the present adjudication. Now Messrs. McLeod & Co. claim to be Secretary and Treasurer of the companies. This has not been specifically denied by the workmen. WW-1 R.N. Majumdar is the only witness for workmen on this point. According to him the workmen consider Messrs. McLeod & Co. to be the employers. He had to admit in the cross-examination that Messrs. McLeod & Co. had sought the Railway Board's approval to their acting as Secretary and Treasurer of the companies but he was not aware if any such approval had been obtained. This controversy has no bearing on the issues under adjudication. The dispute under reference has clearly been stated to have been existing between the three railway companies and their workmen and copies of the Order of Reference appear to have been forwarded to the General Managers of the three light railways. The written statement has been filed on behalf of the Railways and the verification has been signed by their General Manager. The evidence is that the employees of the railway companies are appointed and dismissed by the Railway Department or more precisely by the officials of the railway companies and not by Messrs. McLeod & Co. Ltd. Thus the workmen who were fully aware of these facts had no justification to believe that Messrs. McLeod & Co. were their employers. The only basis of this belief seems to be that the head office of the railways is in the McLeod's buildings. But the employees being fully aware that the railway companies pay rent to McLeod & Company for the accommodation, the belief appears to have been without any

sound basis. The workmen persist in their baseless belief apparently to make out a case that the service conditions of the McLeod's staff have not been extended to the railway staff. Even assuming that Messrs. McLeod & Co. are still the Managing Agents of the railway companies, their authority is very limited and they cannot in any way be considered as employer of the workmen of the railway companies for all purposes. Although the second preliminary objection has no bearing on the issues under adjudication, I have only discussed the facts only to remove the misconception under which the parties appear to have been labouring.

*Issue (1)—Dearness Allowance and Compensatory Allowance*

9. Dearness Allowance of the employees of the three light railway companies consist of two parts computed on two different principles:

- (i) Each employee is entitled to 17½% of his basic pay as Compensatory Allowance and House Rent Allowance plus Rs. 5 as Cash Dearness Allowance. Out of this amount, a portion being half of the Dearness Allowance which was available to the employees according to the scales laid down in the Report of the Central Pay Commission, 1947, is considered as Dearness Pay and counts for Provident Fund contributions and gratuity. The balance is called Dearness Allowance on percentage basis. Rs. 5 is the subsequent increment which is paid to the employees as Cash Dearness Allowance.
- (ii) The second part is what is called grain concession. The employees are paid, in respect of foodgrain, on a scale fixed for the State Railway employees indicated by units e.g. one unit, two units, the difference of the price at market rates and the price at which the State Railway employees get the commodities.

10. The dispute originated with a demand based on a letter of the Railway Board dated 14th May, 1955 (Exhibit W/1) by which a lump sum bonus was offered to such of the grain shop concession card holders as would opt out of the grain shop concessions in favour of full cash Dearness Allowance by the 30th June, 1955. The demand was submitted by a letter over the signature of about 50 workmen employed in the head office of the three railways dated 18/20th June, 1955 addressed to the General Manager, McLeod & Co. Ltd., Railway Department [Exhibit E/7(f)]. The demand of the workmen proceeds partly from an idea that since the offer comes from the Railway Board it is meant for the employees of all railways including the private railways and partly from the idea that since in the past some of the amenities enjoyed by the State Railways staff were extended to the employees of the three light railways, the benefit under the Railway Board's letter dated 14th May, 1955 would also be extended to the employees of the three light railway companies. In paragraph 12 of the written statement of the workmen it has been made abundantly clear that the terms and conditions of employment allowed to the general staff by the railways under the Government were not given to the workmen before us and that it was only after a good deal of agitations that the workmen secured some little improvements in their service conditions. A question appears to have been raised immediately after publication of the Central Pay Commission Report, 1947 as to whether the pay scales of the staff of the Light Railways should be re-adjusted as in the case of the State Railways staff. The Railway Board made it clear that it was not the intention of the Government to require the light railways to carry out any re-adjustment of wage structure either to the same level of the State Railways or of a lower level and that this was entirely for the Managing Agent of the Company to decide (Exhibit E/10). The wage scales of the employees of the present light railways are admittedly lower than the scales of the State Railways staff. The Dearness Allowance, the City Allowance and the House Rent Allowance available to the State Railway staff were extended to the workmen of the present light railways after a close scrutiny of the financial position of the railways and financial implication of the demands. The amenities were extended to them not as a matter of course simply because they were railway staff.

"There is a good deal of difference between the State Railways and the private railways—private railways are necessarily run on commercial lines with an eye to profit, while the State Railways are more concerned with the public service. The profits on one State Railway can be set off to neutralise the loss on another which is not possible with these small private railways. Furthermore the nature of work of State Railways and private railways, and also among private railways among themselves differs so much that no hard and

fast rule is permissible as to what private railways should pay to its workmen. While there are some prosperous private railways, there are also railways which are working at a loss"—Shri F. Jeejeebhoy in his award for the Martin's Light Railways, published in the Gazette of India, dated 5th September, 1949.

Annexure 'A' to the present award will show at a glance the financial position of the three railways. The printed accounts of the three railways upto the year ending on the 31st March, 1957 has been filed before me. The accounts for the year ending on the 31st March, 1958 have not as yet been finalized and published. A summary account for each of the three railways for the year 1957-58 upto January 1958 has been placed before me. These are exhibits 13 series. These show that it was a year of loss. The figures of loss up to January 1958 for Ahmedpur-Katwa Railway, Burdwan-Katwa Railway and Bankura-Damodar River Railway were respectively Rs. 38,061, Rs. 1,60,941 and Rs. 84,873. The present light railways do not stand comparison with the State Railways in respect of resources, income, scope and extent of operation. The State Railways practically cover the whole of the sub-continent of India while the three light railways involved in the present adjudication traverse only 32.26, 32.47 and 59.95 miles respectively. The overhead expenditure of undertakings is not proportionate to their activities. In larger activities the overhead expenditure is proportionately lower and this undoubtedly affords greater facilities for improvement in all possible direction including labour conditions.

11. The authority of the light railway company to operate is based on an agreement with the Secretary of State for India in Council which substantially controls their earnings as also the application of their earnings.

12. The present undertakings differ from other undertakings in several ways:

- (i) In view of the public utility of the industry, private capital was considered essential both for maintenance and improvements of the industry and the Secretary of State for India in Council in its wisdom, provided some inducements to capital investments so that investments might not be shy. The share-holders were guaranteed a fair return on their investments. Dividend at the rate of 3½% was payable on the paid up capital at all events.
- (ii) Whenever the net earnings as defined in clause (3) of the Schedule to the agreement was found deficient to pay the guaranteed dividend on the paid up capital, the Secretary of State undertook the liability to the extent of the deficiency.
- (iii) The net earnings do not take into account even the legal charges such as income tax, and in fact, income tax has not been given any priority over dividends.
- (iv) In consideration of the Secretary of State taking the responsibility of the guaranteed dividend, half of the net earnings in excess of 5% of the paid up capital is payable to the Government, the company being entitled to the other half.
- (v) The fares and freight of the railways are controlled by the Government.

I am accordingly of the opinion that the mere fact that a particular amenity has been offered to the State Railway employees by the Railway Board is not sufficient ground for the employees of the light railways to claim the amenity. The offer conveyed by the Railway Board's letter dated 14th May, 1955 to the employees of the State Railways contemplates only a change in the mode of payment of the Dearness Allowance. It is not a fresh benefit. For a correct decision as to whether this change should also be made in respect of the employees of the three light railways before us, we shall have to take into account what the financial implication of the change is, how far the companies are financially able to bear the burden necessitated by the change, and whether the change is likely to be beneficial and is desired by the majority of the workmen. Annexure B to the workmen's written statement clearly shows that out of the 75 employees of the head office only 28 may be benefited by the change. Of these 28 employees at least some get grain concession for one unit. During the conciliation proceedings the management appears to have offered grain concession computed on two unit basis to those who have been getting on one unit basis and WW-4 Shiv Shankar Bhattacharjee tells us that those who are getting grain concession for two units or more will stand to lose if the grain concession is replaced by Cash Dearness Allowance. Thus it is clear that even of the head office staff majority of the employees would, under the existing state of things, stand to lose if the change is effected, and that if

grain concession is computed on a minimum of two units basis, the entire staff would stand to lose. The line staff as also the head office staff are getting dearness allowance on identical scales and principles. The strength of the line staff is about 1,000. As I have already said that the Order of Reference is sufficiently elastic to cover the line staff, the very fact that they have not joined, clearly indicates that they do not desire any change. The evidence is that at least some of the employees in the head office also were against the change as demanded by the Union. I may accordingly conclude that a large majority of workmen of the three Railways will not be benefited by the change and that they do not want it.

13. Those who demand a change in the lines of the Railway Board's letter of 14th May, 1955 count much upon the cash bonus which I am told was Rs. 120 for each and every employee of the State Railways who opted out of grain shop concession by the 30th June, 1955. The State Railways maintained subsidised grain shops from which the employees could get their requirements on a fixed scale at reduced rates. The object of the management of the three light railways was to extend the same benefit to the employees of the light railways. The light railways had no grain shops. Their idea was that their employees might not be required to spend on food stuff more than their brothers in the State Railways. The light railways accordingly decided to pay their employees the difference between the market rates and the rates at which and on the scale on which the State Railway staff were getting the commodities. The State Railways were maintaining the grain shops at a heavy cost. In its anxiety to abolish the grain shops and to effect some economy thereby, the Railway Board held out an inducement to the workmen so that they might voluntarily opt out of the grain shop concession. The present railways were not faced with any such problem. They had no occasion to effect such a change and to hold out an inducement to the employees to facilitate such a change. Hence there cannot be any question for the light railways to pay their employees cash bonus by way of inducement.

14. If any change has got to be effected, the change should be in respect of the entire staff of the railways. The line staff of the three railways is over 1,000. If the cash bonus has got to be paid to each and every employee that will immediately cost the employees at least Rs. 1,20,000. The financial position of the companies, as I have already indicated, will not enable them to bear this additional burden. It has been made clear that unless the cash bonus is given the workmen are not agreeable to have the change. I have carefully considered the demand and I cannot persuade myself, on the facts and circumstances of the case, to concede to it. The demand is accordingly rejected except that grain concession shall be computed on two units basis for those who are at present getting such grain concession on one unit basis.

#### *Issue (ii)—Fidelity Bond*

15. All employees of the three railway companies are required to furnish at the time of their appointment a fidelity bond of Rs. 2,000 each for which the employees are required to pay a premium of Rs. 25 per annum. Admittedly this system is not very old. It was introduced in January 1949. Those who were appointed prior to 1949 were not required to furnish any fidelity bond. The basic consideration for introduction of the system as alleged by the companies in their written statements have not been disputed by the workmen:

"Some clerical staff of the companies at the said office wrongfully and in combination with each other along with others altered rates in the original stores orders after the same have been signed by the Manager of the Company and thereby caused the contractors to draw inflated bills and so caused loss to the railways."

This has not been disputed. However, the workmen demand that the system should be abolished. The companies claim to have stopped the system. My award therefore is that the system of fidelity bond shall be stopped if it has not already been stopped.

16. At the argument the learned advocate for the workmen demanded refund of the money the workmen had to pay to secure fidelity bonds. No such demand was made in the pleadings. Apart from this technical and jurisdictional difficulty, I find no justification in the workmen's demand for refund of the costs they had incurred in securing fidelity bonds. Dishonesty of some of the employees at least was responsible for the introduction of the fidelity bond and the system

was perfectly justified. The workmen have no justification to claim re-imbursement from the employers in respect of loss for which their brothers were responsible.

#### *Issue (iii)—Security Deposits*

17. At present all employees at the head office with the exception of the subordinate staff are required to furnish security for Rs. 200. The workmen demand that the system should be abolished and that the security deposits should be returned to the employees with all up-to-date interests.

18. The companies are agreeable to refund the security deposits to all employees who have put in 10 years' service. They are also agreeable to return the security deposits to employees who have put in 8 years' service provided they have sufficient amount of employers' contribution to their credit in the Provident Fund account. The cash deposits which the employees furnish are deposited under the provisions of the Income Tax Act in the State Bank of India in the account 'Employees' Security Deposit' which does not carry any interest. The companies accordingly plead inability to pay any interest on the security deposits that may be refunded.

19. Security deposits are not unknown to Government and industrial establishments. The system of demanding security deposit from certain categories of workmen is also prevalent in State Railways. I have carefully considered the facts and circumstances placed before me and my award is that security deposits shall not henceforward be demanded of all employees. Only such workmen as are employed in departments where there is any apprehension of defalcation, misappropriation and alteration or any such unfairness which may cause gain to some one at the cost of the employers shall be required to furnish security.

20. Those who are not so employed shall not be required to furnish any security except when they are transferred to such departments as are indicated above. Refusal to furnish security except on justifiable grounds may, in some cases, expose the employees concerned to disciplinary action. If the transferee post is a promotion post, the employee refusing to furnish security shall be debarred from claiming promotion. Each case shall be dealt with on its own merit.

21. Security may be furnished either in cash or in G.P. notes, Treasury Bonds, National Savings Certificates etc. Where security is furnished in cash the employee concerned will not be entitled to any interest but in other cases the benefits will accrue to the employees.

22. No security shall be demanded of workmen who have put in 10 years' service. Those who have put in 8 years' service shall not also be required to furnish security provided they have sufficient amount of employers' contribution to their credit in the Provident Fund account.

23. Security deposits shall be refunded to those who have put in 10 years' service. Those who have put in 8 years' service and have sufficient amount of employer's contribution to their credit in the Provident Fund account shall also be eligible to get refund of the security money. This is my award.

#### *Issue (iv)—Age Limit for Retirement*

24. The companies have no fixed retirement age for their employees except the train passing staff for whom the age of retirement is 60 years. The demand of the workmen is that the retirement age should be fixed at 60 years. The companies object to fixation of any retirement age on the ground that the companies require technical and skilled hands with experience, but that on account of the smallness of the undertakings as compared with the State Railways, unfavourable financial position of the undertakings and consequent absence of sufficient attraction, qualified persons are not readily available. The technical and skilled hands who have reinforced their skill with experience have therefore got to be allowed to continue so long as they are efficient and fit. The section of the older workmen considers longer service as a partial compensation for the comparatively insufficient amenities. It cannot be denied that on account of the limited resources of the companies the amenities of the workmen could not be at par with those in the State Railways or in some mercantile firms. On identical grounds the younger section considers that a higher age for retirement would delay or even block their promotion. Both the views deserve consideration. In



these days when the country is faced with the acute problem of unemployment, it stands to reason that the older employees who have already got a chance should vacate the office in favour of the younger people. The retirement age is generally 55 and in some cases 58. Demand of the workmen is that the age of retirement should be fixed at 60 years. This is quite reasonable. All workmen shall be required to retire compulsorily at the age of 60 years.

25. I have carefully considered the difficulties which the companies apprehend if any age is fixed for retirement. The difficulties can be solved by re-employing such workmen as are fit and efficient. The re-employment shall be as far as possible on the principle laid down by the Railway Board in its letter No. E. 53/AP/1/3/2, dated 8th February, 1956 [Exhibit E. 7(a)]. I do not feel myself called upon to reproduce here the principles of re-employment laid down by the Board's letter. This is my award on Issue No. (4).

26. I acknowledge with thanks the assistance I received from the representatives of the parties. This award of mine shall take effect from the date on which it is enforceable under the law.

CALCUTTA,  
The 4th September, 1958.

A. DAS GUPTA,  
Presiding Officer,  
Central Government Industrial Tribunal, Calcutta.

ANNEXURE A

Financial Position of A.K. Ry. Co. Ltd., B.K. Ry. Co. Ltd., B.D.R. Ry. Co. Ltd. (in thousand Rupees.)

(Based on Balance Sheets)

Year	Railway Companies	Net earnings as per Revenue Account	Additional income from Share Transfer fees	Interest on loan and overdraft and debenture holder's Trustees' Fees.	Provision for Income Tax	Balance	Subsidy from Government	Receipt from other sources	Total	Distributions		
										Dividend	Government's share	Reserve
1952-53	{ A.K.	45·607	·014	10·504	26·170	8·947	25·223	..	34·170	34·170	..	..
	{ B.K.	116·390	·028	13·563	44·678	58·177	..	..	58·177	52·510	3·918	1·749
	{ B.D.R.	65·769	·036	29·503	51·611	—15·314	82·703	..	67·389	67·389	..	..
1953-54	{ A.K.	27·533	·017	10·750	26·170	—9·375	43·540	..	34·170	34·170	..	..
	{ B.K.	57·121	·016	14·532	27·020	15·587	19·693	..	35·280	35·280	..	..
	{ B.D.R.	113·152	·063	28·312	51·611	33·292	34·097	..	67·389	67·389	..	..
1954-55	{ A.K.	—29·367	·020	10·750	26·170	—55·267	100·437	..	34·170	34·170	..	..
	{ B.K.	78·839	·058	18·501	27·020	33·386	1·894	..	35·280	35·280	..	..
	{ B.D.R.	46·607	·086	31·951	51·611	—36·868	104·257	..	67·389	67·389	..	..
1955-56	{ A.K.	99·888	·137	10·750	45·863	43·407	..	..	43·407	42·117	·869	·421
	{ B.K.	59·581	·023	18·501	27·020	14·083	21·197	..	35·280	35·280	..	..
	{ B.D.R.	182·398	·057	28·120	78·718	75·617	..	..	75·617	75·225	..	·393
1956-57	{ A.K.	31·431	·036	10·750	37·382	—16·665	39·623	3·613(a)	26·571	26·571	..	(—3·613) (b)
	{ B.K.	—136·336	·036	18·501	33·559	—193·360	217·101	2·931(a)	26·672	26·672	..	(—2·931) (b)
	{ B.D.R.	29·112	·047	23·060	76·137	—70·038	112·901	6·628(a)	49·491	49·491	..	(—6·628) (b)

(—) Minus indicates deficit.

(a) Drawn from Reserve Fund.

(b) Amount by which Reserve Fund is depreciated.

[No. LR. IV. 3. (10/57.)]

R. C. SAKSENA, Under Secy.

New Delhi, the 20th September 1958

**S.O. 1984.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi, in the matter of an application under section 33-A of the said Act from Shri D. D. Seth.

**BEFORE SHRI RAM KANWAR CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI**

REFERENCE No. L.R. 100(98), DATED 2-9-1953

In the matter of an Industrial Dispute

*Between*

The employers in relation to the Punjab National Bank Ltd. and its employees.

Application under Section 33-A of the Industrial Disputes Act.

Shri D. D. Seth Vs. The Punjab National Bank Ltd.

**APPEARANCES:**

*Nemo.—for the petitioner.*

Shri M. K. Jain—*for the Bank.*

**AWARD**

By a written agreement, dated the 15th August, 1939 Shri Har Narain entered the service of the Punjab National Bank Ltd. at its Lucknow Branch as Cashier after depositing a cash security of Rs. 10,000 and the present petitioner Shri D. D. Seth his son-in-law attested the document as one of its witnesses. It appears that he was appointed cashier of another branch of the bank at Lucknow after making a further deposit of Rs. 10,000.

2. The condition which is relevant to the present dispute is contained in para. 15 of the agreement and it reads as follows:—

“For the appointment of this (as referred to in para. 14) substitute no further evidence will be necessary beyond a chit signed by the cashier or by person previously authorised by him in this behalf in writing appointing him as such substitute. The cashier shall be responsible for the acts and defaults of the substitute appointed under this clause in the same way as if he has been appointed by the cashier himself.”

3. On 22nd June, 1943 Shri Harnarain sent a letter to the Manager of the Lucknow Branch of the bank reading as below:—

“Dear Sir,

Reg: Contractorship as treasurer for your office, and Aminabad sub-office.

With reference to the above I beg to advise having given authority to L. Durga Dass to act on my behalf in respect of the following:—

1. To receive monthly salary from you and to disburse payments to working cashiers.
2. To conduct all the relevant correspondence.
3. To appoint working cashiers and hundi presenters, to dismiss them or to make any changes in the cashiers staff, which will of course be subject to your approval.

For such acts done by him I take the full responsibility legally or otherwise.

Yours faithfully,

(Sd.) HAR NARAIN.”

4. According to the agreement, the bank was entitled to dispense with the cashier's services on giving 3 months notice, and if the bank dispensed with his services forthwith without any notice, the cashier was entitled to 3 months' pay in lieu of notice.

5. In August, 1955, Shri Har Narain was contractor cashier at Lucknow of Hazratganj Branch, Sadar Pay Office and Aminabad Branch. On 27th August, 1955, the Manager of Hazrat Ganj branch served a notice on L. Har Narain terminating his contract after 3 months and a similar notice was served upon him on 31st

August by the Manager of the Aminabad Branch. Copies of these notices were also sent to Shri Durga Dass Seth. It is significant that in the latter notice Shri Seth was clearly described as "Representative Contractor Cashier."

6. On receipt of these notices L. Har Narain did not raise any sort of objection but wrote to the Head Office of the Bank on 13th December 1955 for the return of the deposit of Rs. 20,000 made by him along with interest thereon upto the date of refund.

7. During the pendency of proceedings before this Tribunal in respect of an Industrial Dispute between the Bank and its workmen, Shri Durga Dass Seth sent a petition dated 11th November, 1955 to the tribunal by registered post with the allegations that he had been in the service of the bank as a cashier since August 1939, that he was a workman as defined in Section 2(s) of the Industrial Disputes Act and that the bank in contravention of Section 33 of the Act had decided to discharge him from its service without prior permission of this Tribunal.

8. The reliefs claimed by him were:—

- (a) That the bank's notices dated the 27th and 31st August, 1955 be cancelled and declared illegal and the bank be directed not to terminate his employment without the tribunal's prior permission and
- (b) any other relief and substantial compensation which the tribunal may deem fit and proper according to the merits of the case.

9. In his petition Shri Durga Dass had not explained how he was competent to make it when the agreement with the bank was made by Lala Har Narain, but in his statement before me, the position taken up by him was that he was the real beneficiary under the agreement and that Shri Har Narain had executed it only formally because he (petitioner) was not in a position to deposit the required security.

10. The Bank opposed that application on the following grounds:

- (i) That the application was pre-mature.
- (ii) That the petitioner was not an employee of the bank.
- (iii) That the employment was on a contract basis.
- (iv) That the petitioner even if an employee of the bank was not a workman.

11. Deciding all these points against the petitioner I rejected his application by my award dated the 26th January, 1956 published in the Government of India Gazette March 17, 1956 Part II—Section 3.

12. The petitioner filed an appeal against my award in the Appellate Tribunal, but the petitioner subsequently admitted that his petition was pre-mature as held by me. The learned Appellate Tribunal thereupon made an award which according to the present petition reads thus "Under the circumstances it has become unnecessary for us to consider the other issues raised in the appeal, and, as prayed on behalf of the appellant, we order that this appeal be dismissed and the order of the Lower Tribunal rejecting the appellant's application be confirmed on the preliminary ground that the application or petition presented by him to the Lower Tribunal under Section 33-A of the Industrial Disputes Act, was premature leaving the other issues open and undecided."

13. The petitioner thereupon sent his present petition, dated 22nd November, 1957 to this Tribunal by registered post on the same allegations as made by him in his previous petition.

14. The bank opposed the petition on the grounds (ii) (iii) and (iv) as given in the previous proceedings and also on the ground that the matter was 'res-judicate'.

15. The petitioner stated before me that as I had already expressed my opinion on the points at issue, he would move the Labour Ministry of the Government of India for transfer of his petition for disposal to some other tribunal, I therefore stayed proceedings in the case and also moved the Labour Ministry to transfer the dispute to the permanent Industrial Tribunal of Delhi because the main references during the pendency of whole proceedings, the present petition was made, had been transferred at my request to that Tribunal, but the Ministry has directed me to dispose of the present petition myself.

16. After the receipt of the above direction of the Ministry the petitioner was directed by a notice sent to him by registered A.D. post to put in appearance before me on 18th July 1958 but as no reply was received from him nor was A.D. receipt returned by the postal authorities, fresh notice was sent to him for his appearance on 4th August, 1958. Before that date the 1st notice came back with the report that the petitioner was not at his place of residence and the 2nd one with the report that he refused to receive the same. The result was that he was proceeded against *ex-parte*.

17. The actual work of cashier was to be carried on by the nominees of L. Har Narain, approved by the Bank. He himself was not expected to carry on that work nor did he ever carry out the same. The present petitioner according to the authority given to him by L. Har Narain was to carry out certain work which he (L. Har Narain) was expected to carry out according to his agreement with the bank. The petitioner never worked as a cashier in the bank. He himself admitted before me that only now and then he acted as such whenever it was necessary but no evidence is forthcoming even in support of that allegation. L. Har Narain's agreement with the Bank came to an end and he withdrew the security deposited by him. The result was that the petitioner also ceased to have anything to do with the bank.

18. Such being the case I have no hesitation in holding that the petitioner was never an employee of the Bank and consequently I make an award rejecting his petition. No order as to costs.

Copy of the Award shall be sent to the Labour Ministry of Government of India for necessary action.

DELHI;

RAM KANWAR,

The 20th August, 1958.

Industrial Tribunal.

[No. LR II-10(21)/56-Pt. II.]

New Delhi, the 22nd September 1958

S.O. 1985.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Nagpur at Bombay, in the industrial dispute between the employers in relation to Messrs. Kishan Chand and Co. and their workmen employed in Kachidana Manganese Mines No. 4.

BEFORE SHRI P. D. VYAS, JUDGE, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR AT BOMBAY

REFERENCE (CGIT) No. 1 of 1958

AN ADJUDICATION

The employers in relation to Messrs. Kishan Chand & Co., P.O. Ramakone, District Chhindwara,

AND

Their workmen employed in Kachidana Manganese Mines No. 4.

In the matter of an industrial dispute relating to the termination of the services of 55 workmen.

APPEARANCES:

For the employers—Nil.

For the workmen—Shri P. T. Borale, B.A., LL.B., Advocate with Shri B. A. Bagde, President of the Union.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Central Government was pleased to refer an industrial dispute existing between the employers in relation to Messrs. Kishan Chand & Co. and their workmen employed in Kachidana Manganese Mines No. 4 for adjudication to me under the Government Order No. LR II 57/1/50/57,

dated 4th February, 1958. The dispute relates to the matters specified in the schedule annexed to the said order.

#### SCHEDULE

- (a) Whether the management was justified in terminating the services of 55 workers, whose names are mentioned in the annexure hereto?
- (b) If not, what relief the workers will be entitled to?

#### ANNEXURE

*List of 55 workers who were discharged by Messrs. Kishan Chand and Co.,  
Kachidana Mine No. 4*

1. Mangal Singh, son of Debu.
2. Saka, son of Soma.
3. Bhaddu, son of Chainsa.
4. Adku, son of Chaitram.
5. Kashirath, son of Pancham.
6. Gondha, son of Anntu.
7. Sakaram, son of Fakira.
8. Rama, son of Ramsa.
9. Chirkut, son of Najarsingh.
10. Deorao, son of Janya.
11. Budhu, son of Kisan.
12. Sitaram, son of Amarsa.
13. Gopal, son of Tula.
14. Patiram, son of Damji.
15. Shanker, son of Sonba.
16. Dayaram, son of Barkya.
17. Mayaram, son of Barkya.
18. Ratan, son of Baru.
19. Jatu, son of Bhuta.
20. Sitaram Gorkhi.
21. Janiram Nangi.
22. Jhumklal Bhackchand.
23. Baliram Chirkut.
24. Ganga wife of Punu.
25. Rukma Jirutha.
26. Gangu Bakaram.
27. Sita Damu.
28. Gangu Mangalsingh.
29. Yeshoda Patiram.
30. Bajji Damji.
31. Sona Ojhi.
32. Rammo Adku.
33. Rajjo Mahadeo.
34. Mira Sitaram.
35. Yeshoda Gondha.
36. Santari Anntu.
37. Lanka Paiku.
38. Jhito Laxman.
39. Manki Laxman.
40. Chindhi Urkudya.
41. Godi Sudam.
42. Saiji Deorao Jehni.

43. Lank Dayaram Palaspani.
44. Banna Sitaram.
45. Hasla Bhuta.
46. Jhalki Dondya.
47. Bisna Jhamsingh.
48. Kaushal Jhamsingh.
49. Baija Parnya.
50. Saku Mahnya.
51. Pumi Suresingh.
52. Mitke Fakira.
53. Santo Nangji.
54. Chilla Sakaraji.
55. Genda Ishram.

2. On the usual notices being issued the President, Sausar Tahsil Siddhartha Managanese Mines, Kamgar Sangha, has filed the statement of claims on behalf of the workmen. No written statement has been received from the employers.

3. On the date fixed for hearing there has been appearance on behalf of the workmen but none on behalf of the employers. The Reference has therefore been heard *ex parte* under rule 22 of the Industrial Disputes (Central) Rules, 1957 which provides that "If without sufficient cause being shown, any party to proceedings before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed as if the party had duly attended or had been represented."

4. On behalf of the workmen the statement of claims was received in February, 1958 and according to them a copy thereof was simultaneously sent to the employers. The employers however failed to file any written statement in answer thereto. The notice first issued to them for filing written statement came back undelivered with the postal remark 'left Place'. The Union was therefore requested to give the proper address which they supplied and the notice for written statement was accordingly re-issued. That notice was served and the employers wrote a letter stating that they had not received any copy of the statement of claims and hence they were unable to file their written statement within the time fixed in the notice. We therefore again inquired from the Union in the matter and the Union re-affirmed the fact that the copy of the statement of claims was already sent to the employers and yet the Union is again sending another copy by registered post on 27th May, 1958. The employers were therefore informed that since now they have been supplied with the copy of the statement of claims they should file their written statement within a week's time but this was not done and the matter was therefore fixed for hearing.

5. The Union President in his affidavit referred to *infra* has made it clear that the copy of their statement of claims was sent to the employers on 27th May, 1958 by registered post which has been acknowledged on 10th June, 1958. The employers however so far have filed no written statement nor have they cared to appear at the time of the hearing and it seems that they have been un-necessarily delaying the matter. I was told that even in the conciliation proceedings the employers did not appear. Whatever it may be, if the employers do not care to put up their case by due appearance they must take the consequences.

6. It appears that the 55 workers were in the employment as surface workers and all of them have been dismissed on 2nd September, 1957 without stating any reason. They have not been served with any notice nor has any inquiry been made and the case on behalf of the workers is that the employers have since recruited not less than 100 new workmen. If it were so there cannot be any ground of want of work in discharging the services of these workmen; and whatever may be the length of their services which according to the Union varied from 1 to 4 years and in some cases six months, they cannot be summarily and high-handedly removed in the manner the management seems to have done. The President of the Union has made an affidavit in respect of the relevant facts and has stated that in terminating the services of these workmen, no reason

was assigned, no opportunity was given to them to plead their case nor was any notice served. He further states that the employers have got sufficient work and have recruited 100 new workers and that they are in the habit of engaging some workmen for sometime and then removing them wrongfully in order that the workers may not claim the benefit of the labour laws. In the circumstances of the case there is no reason to disbelieve the case advanced on behalf of the workmen and all these 55 workmen are entitled to be reinstated with all back wages and other benefits including bonus if paid to other workmen and I direct accordingly.

*Dated the 8th September 1958.*

(Sd.) P. D. VYAS, Judge,  
Central Government Industrial Tribunal,  
Nagpur at Bombay.  
[No. LR11/57/1(50)/57.]

#### ORDER

*New Delhi, the 22nd September 1958*

**S.O. 1986.**—Whereas the employers in relation to the Chirimiri Colliery and their workmen represented by the Chhattisgarh Colliery Workers' Federation, P.O. Chirimiri, District Surguja, have separately applied to the Central Government for reference to a Tribunal of an industrial dispute in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said Chhattisgarh Colliery Workers' Federation represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Nagpur. Constituted under section 7-A of the said Act.

#### THE SCHEDULE

1. Payment of overtime to weekly paid workers of the Engineering Department.
2. Payment of overtime to Shri Sampat, Dak Messenger.
3. Overtime to Hospital Staff.
4. Overtime to Hospital Cook.
5. Overtime to Officer Staff.
6. Overtime to workers who are required to work on Sundays.
7. Overtime to workers working in Engineering Department.
8. Overtime to adjustment Mazdoors at Manendragarh.
9. Non-payment of acting allowance to Shri C. K. Naidu and non-payment of the amount spent by him due to non-supply of water, light and fuel.
10. Case of Shri Fulchand, Coal Cutting Machine Fitter.
11. Case of Shri T. Manikam Pillay.
12. Case of Shri Bachan.
13. Case of Shri Sadasing, Shri Gobind Rao, Shri Sudhir Talukdar.
14. Overlooking of seniority in respect of housing facilities, appointment and promotion.
15. Case of Shri B. K. Singha, Bonus Clerk.
16. Annual increment to Shri K. L. Chakraborty, Store issuer.
17. Leave privileges to Shri Phoni Lal Ghose and others employees of the Engineering Department, Colliery Grain Shop and the Weekly paid employees working in the Engineering Department.
18. Grain allowance to workers.
19. Bonus on overtime payment under agreement.
20. Grain concession to Shri M. Prakash for his wife.
21. Increment of 28% and the basic rate to Shri Venkatswamy and Shri Sahay, Mine car Blacksmiths.



22. Increment of 12½% to Shri Laxman, Blacksmith.
23. Increment of 12½% to the Firemen Phlemen, Hammermen, Timber Setters, Timber Mistries, P.W. Men Mistries, Bond men and Trolley men, etc.
24. Allowance for additional work to the clerks working in the despatch section.
25. Medical Aid to workers.
26. Implementation of the decision taken by the Works Committee.
27. Implementation of agreement, dated 18th July, 1949 between employers and Federation. (Item 5) regarding provisions for Urinals.
28. Compensation for forced idleness.
29. Supply of water to the workers.
30. Arrangement of electric light on the streets in labour colony and on the roads leading to the mine.
31. Wrong payment of overtime to the coal cutting machine men for the period from November, 1947 to June 1948.
32. Change of service conditions of Shree Bagarsai, Traffic Assistant.

[No. LR11-55-1(10)/56.]

K. D. HAJELA, Under Secy.

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